

THE
ESTABLISHMENTS MADE
BY THE
GENERALL
ASSEMBLIE
METT AT THE
CITTIE
OF KILKENNY

THE 12. DAY OF NOVEMBER ANNO DOMINI 1647

THAT in regard the Army of the province of Leinster consists of eight regiments of foote and 25 Troopes of horffe, and that by reason of the defeate of the said forces, and restrainte of many of the officers, the said Army, regiments, and Troopes, are soe weak as they are computed to be effectiue not aboue 4000 foote and 800 horffe, And for as much as the said prouince at this present beinge burthened with other extraordinary charges is much impouerished and vnable to beare any more, dureinge this winter; It is therefore ordered that the said Army shall consist of 4000 foote and 800 horffe at least vntill the first of March next, at which tyme the Supream Councell shall (if they see cause) reinforce the same vnto such number as the said Councell shall thinke necessary for the preferuatiō of the said prouince, prouided that noe more Companies, Regiments, or troopes, be raised as a charge vpon that Prouince, vntill the last of May next, but that the saidould troopes, and Companies, be reinforced to such number, as the Councell shall thinke necessary; And if the prouince be now charged, with any more foote or horffe of the said Army, then the said number, the Councel are by vnytinge of weak companies together, discharginge of vnseruiceable Companies or Troopes, or houldinge such as haue not performed their Capitulations to the performance thereof, to reduce the said



Charge vnto the said number of 4000 foote and 800 horse if it may be done conveniently; and in regard that severall of the late recruited companies haue not yet appeared in the field, or were mustered since the said misfortune, whereby it is vncertaine of what number they consist of, It is ordered that the said Companies which did not appeere as aforesaid or which were not mustered, shall not be allowed more then fifty souldiers in each of their Companies vntill the said tyme of reinforcement, and the said Councell are by musters and other wise to cull out vnfitteable and vnarmed men from the Army and ease the prouince of their charge, provided that if more foote or horse be found effectiue in the said Army, that they shall be provided for, to prevent the incursions of the Enemy as also For the wayning, Exercisinge, and keepinge together the forces of this prouince, whereby they may be ready to defend their Quarters, and offend the Enemy, It is ordered and established that the Army of the prouince shall be deuided into fower diuisions or brigades, more or lesse as the Councell shall thinke fitt consisting of horse and foote & for each diuision or Partie an officer be appointed to Comaund the same in chiefe

That vnto each of the said diuisions a headquarter shall be appointed where a Competent number of the said Partie, both horse & foote shall be garrisoned in some conuenient & secure place or strait Frontinge the Enemys garrisons.

That to each head-quarter severall other dependent garrisons shall be assigned where the residue of the diuision shall be garrisoned & Comaunded by any officer in each garrison and where they may be ready vpon all occasions to come to releue or reinforce the head Quarter accordinge as they shall be directed by the Comaunder of the said diuision.

That for every head quarter a certaine proportion of Shovells, spades, pike axes and bill hookes be assigned, whereby they may fortifie the same and build Cottadges for their habitations if they shall want it, and that a certayne proportion of amunition for the head garrisons be likewise giuen vnto the Comaunder of the diuision,

That a way be settled whereby the said whole partie or brigad vpon twenty foure howers warneing may speedilie

come together in a boddie and whereby the Seuerall diuisions may ioine together vpon conuenient warneinge, by order from the Comaunder in chiefe of the whole Armie, or otherwise as the Councell shall thinke necessary.

That the maintenance of the whole Armie be cast vpon whereof a proportion is to be put vpon euery County which is to be applotted & leauied monethly before hand in Corne, meale, and monney, or monny whole at thelection of the payers, and that the proportion of each diuision thereof be sett out towards its maintenance, which is to be receaued for them and paid according their musters,

That the best quarters be assigned to those whose shall be put in the frontier garrisons and that the Corne, meale, and monny be soe proportioned as that the places neare shall pay the meale and the remote the monny if it may be.

That the Chiefe officer or officers of these diuisions respectiuelie be remouable monethlie as the Councell or such other authoritie as the Councell shall appointe in their absence shall thinke fitt or oftner if there be cause.

That once in every month the head quarter shall be relieved out of the neer quarters if need be,

That in the neere quarters the Companies & troopes be daily exercised and in the head quarters, as often as may be, if the Weather serue and at least twice a weeke.

That the muster-master shall returne his muster once per month vnto the councell, or such as the said Assemblie or Councell shall appointe, as also the paymaster his payments

That all & singular the Captaines and Quartermasters and other the Officers of the Army, shall deliuer in, a true list of their Companies on paine of disbandinge of the officer that shall giue in a false list,

That the said muster master & paymaster take the oathes of their places before thei execute the same.

That the Country be required to bring in prouision of hay, oates, and other accomodation vnto the said head-quarter to be paid for, by the garrison after the rates hereafter established.

That the Comaunder of each of the said diuisions be required as occasion shall be offered to call together the said diuisions either to defend their quarters, or offend the Enemy

without expecting orders, and not to suffer the souldiers or Troopes to extorte in their throughfares vpon paine of the losse of a moneths meanes & satisfaction to the parties greeued, if redresse vpon Complaint be not made

That each Comaunder of a diuision shall haue power to execute with martiall Law, any souldiers, or Troopes of his partie, vnder the degree of an Ensigne, or Cornett, merritinge it and to suspend from Commande any higher officer offendinge, Vntill the pleasure of the Councell, or in their absence such as they or the Assembly shall appointe bee made knowne, and that each Colonell shall haue power accordinge Martiall discipline to execute Martiall lawe vpon any of his regiment vnder the degree of an Ensigne, deseruinge it & the Comaunder in Chiefe of the artyllery is to haue power of martiall lawe over those, vnder his Commaund.

That to preuent the dayly runninge away of souldiers from their Coullours vnto other Companies, where they expect better pay, lesse duty, or more impunity, any souldier or trooper so offending shall be punished, with death. and to the end he may be found out, noe officer is to receaue any new souldier or trooper formerly inlisted, Without a passe of his officer vpon the penalty of forfeiture of a moneths pay, and that martialls be appointed in euery County, to execute straglers & theecues.

That the Councell, or such as they shall appointe, make it the peculiar charge of one of them, to see one of the diuisions provided for, to ouersee the musters returned, take accompte of the payments vnto them made, & settle all differences betweene the garisons, and the Quarters, and the resident Councell of this Prouince vpon matter of difficulty are to assist him.

That Commissioners be appointed in each County to applot, Leauy, and bringe in, its proportion of the mayntenance of the Army, consisting of three actiue, honest, and vnderstanding men, who are to sitt constantly and serue for one Quarter of a yeare, at the expiration of which tyme others may be named to supply their places, and to haue for each of them foure shillings per diem and two shillings per diem to their Clarke, for euery day they shall attend the execution of their Commission, who shall be enabled to determine all differences betweene Land-Lord and tenant and settle all other differen-

ees concerning the Contributions, or Country Charges in their Counties respectively, & all debts or trespasses vnder five pound which Commissioners are to haue their authority by Commission from the Councell, and to take their Oathes to apploitt the mayntenance of the Army, and other Charges equally, and indifferently without partiallity, loue, hatred, fauoure, or affection vnto any person, or persons, according the vtmost of their power and skill, before thy shall take vpon them the said Employment, & are before any applotment to be made to summon the Gentry and freeholders of their County and heere what they will say concerning the manner thereof, before they shall apploitt the same, to the end that the more equality may be vsed, & that the bearers of the said Charge may know why the same is imposed, and not be Charged more then the maintenance of their proportion shall come vnto, provided that if the Councell finde an easier way for applotting the said money & bringing it in, that they may pursue such a Course for the saueing of charge, and that the County of Kikenny or other countyes vpon sufficient reasons may haue more Commissioners, so the charge shall not exceede the allowance for three.

That the Comaunder of each partie, or diuision, be required to preserue the quarters set out for him, from incursions of any straglinge souldiers, idle boyes, or other persons, and if he shall make default therein, the damadge of his quarter by any such incursions to be put in accompt on him, in soe much of the pay of his partie, which is to be assigned ouer to the partie greued, and to that purpose a partie of the diuision is to garrisson in the Countie sett forth for defence thereof, whoe are vpon notice to disarm, Commit, and bringe to Iustice, any person, companie, or Companies, who shall inuade their quarters, & they are also to obserue the direction of the Councell, and Commissioners of the Countie, for punishinge delinquents and other refractorie persons

Vpon consideration had of a report presented from the Provinciaall Assemblie of Leinster settinge forth that the charge of the ciuill list, generall officers amunition, Armes, Train of Artillerie, spies poasts, rewards, pensions negotiations & other publique charges should be cast vp and subdeuided vpon the seuerall counties of the said prouince, and that towards

The support of the said Charge, the enemyes estates, excise, and two parts of the Cleargy liueings, should be giuen vnto each County to be set by such Commissioners, as the Councell should appoint, provided that the same should not extend to auoide Leases made to banished men, or others, and that banished persons should be preferred to the tenance of some of the said Lands. It is for seuerall reasons and especially in regard the diuident of the seuerall Counties in the said Prouince, was not settled with relation vnto the yearly value of Enemyes estates, excise or Church Liueings in them, thought fit and so ordered that the Councell shall issue Commissiones for regulating the Excise, for settinge of Enemyes Lands, and two parts of Cleargy Liueings, at a certaine rent, ouer and aboue all Country Charges returneable by the first of May next. In the meane time, the rents issuing out of the said tiethes or Enemyes estates, or the profits of the excise are not to be disposed, but by order of the Councell, and the Commissioners Generall are forthwith to certify the Councell, of the particular of the charge of the ciuill list, amunition, Armes, and other requisit publicke charges.

And where as seuerall receauers and accomprants haue bene often summonned, to passe their accompts before the late Commissioners of the Reuenue, as also before the Commissioners Generall of each Prouince, which receauours haue hitherto neglected to obey the said Summons, notwithstanding seuerall compulsarys issued to compell them therevnto, It is therefore ordered, that vpon default of any receuer or Collector, hauing notice of this our order, which shall neglect passinge of his said accompte within one month after notice proued thereof by the messenger of the Supream, Councell, or whome the Assembly or they shall appointe in the said prouince, wherein he is or shall be receauer, Collector or accomprant shall remayne charged for the summe, for which he shall so neglect to accompt, and the same shall be deemed, reputed, and esteemed his owne proper debt, and that the same shall be assigned vnto the Armies, or any of them, or disposed to the publicke vse as the Councell shall thinke fitt.

That the said Commissioners in the Counties shall as farr as possible they may auoyde cessing of Horsses or Foote vpon de-

delinquents being destructive, though hitherto a necessary remedy for getting in the publicke dues, but that they may by Pursuants or distresse compell payments, and by appoynting good Collectors and giueing them reasonable, allowances for their seruice, get in the publicke dues, and contributions and that souldiers put upon delinquents shall take noe more but their pay according the establishment and haue noe other pay whilst they are vpon delinquents, and vpon paine of the losse of a months meanes, the officer and souldiers put vpon delinquents are not to cesse in his through-fare vpon any other person but the delinquents.

That for the Field seruice when the Army shall be called into one intire boddy the contributions of each County, shall be brought monethly before hand to the Generall receipte of the prouince, or to the pay-Master in the Field, as the Councell or whome they shall appointe shall directe.

that the pay-masters intertainēt be out of the pay of the soilder. That a course be taken whereby those places which are fitt to be garrisoned may not the next yeare bee destituted of forrage, or prouision, and that places be in due tyme fixed vpon by the Councell, and Magazines there prouided out of tieth Corne. That the quarters be sett out for any diuision or Garrison so as they may not be appropriated thereto, but that the Councell or those intrusted by them in their absence from the Prouince may change them, and sett out Quarters according desert. It is ordered and Established that foureteene pence in money and 5. quartes of meale shall be a weekes pay for a foote souldier, or two shillings six pence in money at the election of the payers, and foure shillings in money a hoope of oares and 8. stones 3. quarters of hay, or strawe for a Troopers pay per weeke being 20. potund per night or seauen shillings in money at the election of the Payer in lieu of his pay & other demaunds in his Quarter besides lodging and stabling.

That euery officer shall haue care to cause his Troupers and souldiers to keepe their Armes cleane and fixed, and for euery vnfixed Muskett, the souldier to be checked with two pence euery Muster, and for euery vnfixed pistoll the Trooper to be checked foure pence per Muster, euery souldire wantinge a sword shall be checked one penny per Muster which checks are to be deposited to buye a sword & euery Trooper wan

ring pistolls foure pence per muster, a short picke one penny per muster & the muster-master is to haue his payout of the checkers. That a pound of Powder per moneth be allowed to euery Company of horlle, and foote, to exercise for false fires, and such further proportion of powder for exercise as shall be by the Countcell thought fitt. that euery officer take the Oath of Association, and every common souldier to be true to his callours. It is ordered and agreed, that noe officer of the Army shall haue a regiment of foote, and Troope of horlle, nor any whoe hath a regiment or Troope of horlle, a Company of foote.

It is ordered that rates of hay and oates shall be as followeth (viz.) 2 pence per night for hay, straw and litter, 3 pence for a stable-pecke or gallon of oates.

It is ordered that of such Lands pretended to be waste as are grazed by the proprietors, or Neighbours by conniueance or allowance of the proprietor, the Country Charges shall be answered by the proprietor if he findes not out the trespassers to discharge the same.

It is ordered that all manner of Country charges shall be answered by billett, cesse, through-fare quartering, and leauies of lands, and putt in an accompt on the proprietor if he keepes the same waste, and refuseth to sett the land for cuntrie Charges. It is ordered that where considerable fallow is made in diuerse parts of pretended waste and so the grasse eaten by the plough garrans in all the parcells so ploughed, & the proprietor notwithstanding will not hould, or beare more then as small parcell, as twenty or thirty akers, and That the proprietors shall answer for the whole land, full Country charges and that, the same shall be enquired of, by Iury of the proper or adiacent barrony, the Iury to be vnintrested persons And the Commissioners of the Army in the respectiue Counties are to issue precepts vnto the Sheriffs for impanelling a Iury in this behalfe.

*Ex. per Phillippum Kearns Gen.
Com. Hibernia Cler.*

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